

## **CONDITIONS FOR PLACING HANGING BASKETS OVER THE HIGHWAY**

Highways Act 1980, sections 144 and 178

1. This licence only covers hanging baskets and for the specific quantity applied for. This licence **DOES NOT** cover the erection of festive decorations, electric cables, or other overhead apparatus which are applied for separately. (Search for 'Overhead Apparatus' at [www.tfl.gov.uk](http://www.tfl.gov.uk))
2. Any person fixing or placing any apparatus over the highway without the consent of Transport for London or commits a breach of the conditions is liable to a penalty on conviction, and removal of the offending equipment, fixtures and fittings forthwith at the applicant's expense.
3. The materials, position, height and method of fixing are to be subject to the prior approval of TfL before any works are carried out and shall be altered at any time to meet TfL's requirements.
4. Clearance over the street, unless otherwise agreed in writing, is no less than 2.2 metres over the footway and the apparatus rim does not come within 450mm from the edge of the carriageway. Consecutive baskets must also be fixed at the same height to adjacent columns, maximum of 2 baskets per column. Wet weight of combined basket weight should not exceed 30kgs
5. All apparatus may be removed without notice where instances of non-maintenance of the flowers have become evident to TfL. Cost incurred in this process will be chargeable to the applicant.
6. The basket(s) are to be kept in a safe condition by the applicant by means of regular inspection throughout the duration of the placement. This shall include all brackets and fixings. If at any time the installation represents a danger TfL reserve the right to take commensurate action at any time to remove or rectify any unsafe apparatus at the full expense of the applicant.
7. The applicant will take all proper precautions to prevent damage or injury to persons or property, and have Public Liability Indemnity insurance of at least £5,000,000 per incident. In the event of breakage of the apparatus or its supports, the applicant is responsible for any damage or injuries caused.
8. Any damage caused to TfL columns as a result of the applicant's activities shall be rectified by TfL at the applicant's expense.
9. Columns that are less than ten years old AND were designed to accommodate hanging baskets may not require load testing. The applicant is however required to provide full details of the proposed attachment(s) such as wet weight (50kg max each side) and size for discussions with TfL. For columns OVER ten years old, TfL will need to have assurance that the columns are structurally sound and present no danger of deformation or collapse. TfL shall therefore review any load applied deflection structural test results in respect of recently undertaken tests - the results of which shall determine whether or not TfL deem the columns to be of sufficiently low risk of danger under the proposed loads. These tests will be undertaken expressly by the applicant and submitted to TfL as part of the approval process.
10. Basket brackets must be in keeping with the design of the column.

11. No tree, shrub or plant of a poisonous nature, or otherwise likely to constitute a source of danger to persons or animals on the highway, shall be planted.
12. All trees, shrubs and plants to which this licence relates shall be properly cut, pruned and trimmed at all times during the continuance of this licence and no such tree, shrub or plant shall be allowed to obstruct, overhang or interfere in any way with signage or column identity, or become a danger to passage along the carriageway or footway, or to overhang the premises of any person other than the licensee.
13. Watering of baskets shall only be undertaken between the hours of 21:30 to 05:30.
14. The precise location where the baskets are to be erected must be stated. Using column numbers where available. The applicant must also supply a scale plan which clearly identifies the location where the baskets are to be erected.
15. The licence will only be granted to the individual or body making the application. It cannot be transferred to any other person or body. All licences last for a maximum of 6 months
16. Decorative flower baskets must not hinder the normal maintenance of the highway structure concerned.
17. The applicant must include details of their risk assessment, method statements, arrangements for protection and segregation of the public, signing & guarding, their emergency procedure and 2/7 emergency contact details with their application.
18. Installation of and access to hanging baskets for maintenance and subsequent removal shall, where practicable, be from a suitable working platform. (A separate licence can be obtained from TfL).
19. Ladders or steps shall not be used.

### **ASSOCIATED COSTS FOR APPLICATION**

#### **Standard admin and site inspection charges for licence:**

0-5 columns     £75 (inc VAT)  
6-10 columns    a further £75 (inc VAT)  
11-15 columns   a further £75 (inc VAT)  
Thereafter a further £75 per 5 columns

For example, 22 columns is £75 x 5 = £375

*(Cheques to be made payable to Transport for London)*